IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.1352 OF 2005

Fabian Philip Dias and another).. Petitioners

Versus

Dunstan Philip Dias).. Respondent

Mr.G.V.Pandya for the Petitioners.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 24TH MARCH 2005

P.C.:

. This Petition challenges the order dated 9th February 2005 by which the learned Principal Judge of the City Civil Court has directed thus :

> "9. In this respond (sic), also as can be seen assuming for the time being the case of the Plaintiff that Chamber Summons is pending but motion is already heard by HHJ Shri J.L.Deshpande, who is well aware of the facts of the case and as far as Chamber Summons is concerned, the Plaintiff is free to move the Chamber Summons, before the Ld. Judge. Today, as can be seen the Chamber Summons is filed much later in point of time since on 23.01.05, motion was adjourned for orders to 10.01.05. Hence in view of the above, no order is passed in the Misc. Application No.6/05, M.A. stands disposed of."

2. I see no reason to interfere with this order. Hence, Petition dismissed.